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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,291	01/22/2004	Hajime Ohno	03500.017865.	3179
5514 7590 06/11/2008 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
SEYE, ABDOU K				
ART UNIT		PAPER NUMBER		
2194				
MAIL DATE		DELIVERY MODE		
06/11/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/761,291

Applicant(s)

OHNO, HAJIME

Examiner

Abdou Karim Seye

Art Unit

2194

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1.6 and 16-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1.6 and 16-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 6 and 16-24 are currently pending in this application.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 6, 20-23 are non statutory because the claimed apparatus in the preamble is software per se, as they are not tangibly embodied or include any recite hardware as part of the apparatus in claim 6, the claim recites "a reception unit; a activation unit; a judgment unit; an issuance unit and an executing unit", but these limitations are described as being software alone. As such, it is believed that the apparatus of claims 6-20, 23 is reasonably interpreted as software per se, failing to be tangibly embodied or include any recite hardware as part of the system.

Appropriate corrections are required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 6 and 16-24 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Bahrs et al (U.S. 20030069943) in view of Kobayashi et al (US 6286757).

6. As to claims 1, 6 and 24, Bahrs teaches the invention substantially as a data processing method, system and product which is executed in an information processing apparatus for performing a data process based on delivery data transmitted from an external information processing apparatus, the method comprising:

a reception step of receiving the delivery data transmitted from the external information processing apparatus (FIG. 4; where the JSP and HTML page include request data from a user that is the delivery data; paragraph 38);

an activation step of activating a program corresponding to the delivery data received in the reception step (FIG. 4: 412, where the application service is the activated program; paragraph 38);

a second judgment step of judging whether or not a process corresponding to the event notification has been registered in the program activated in the activation step; an execution step of executing the process in a case where it is judged in the second

judgment step that the process has been registered (FIG. 4: 414; the task/method is the registered process executed on the application service 412; paragraph 47-48).

7. However, Bahrs does not explicitly teach that a judgment step of judging whether or not first data is included in the delivery data, by analyzing the delivery data received in the reception step; an issuance step of issuing an event notification indicating that the first data is included, in a case where it is judged in the judgment step that the first data is included in the delivery data; and of not executing the process in a case where it is not judged in the judgment step that the first data is included in the delivery data.

8. Whereas, in the same field of endeavor Kobayashi discloses a control information system and method for judging whether or not a data string information is identified first and issuing an event notification that the first data is included and rejecting actions for the data string (FIG. 3; col. 4, lines 25-47; and FIG. 6; where issuing response status for information not registered is the an event notification).

9. It would be obvious to a person of ordinary skill in the art at the time the invention was made to modify Bahr's invention with Kobayashi's invention to provide a data control process for analyzing data information on an input file and a judgment process for deciding whether to execute or not execute a process . One would be motivated combine these two references in order to provide control access method to data files

from external users. Therefore to increase security conditions for access to data files/forms.

10. As to claims 16 and 20, Kobayashi teaches, a third judgment step of judging whether or not second data is included in the delivery data, by analyzing the delivery data received in the reception step (FIG. 3 and 6; where the "security condition information" is the second data) ; a second issuance step of issuing a second event notification (FIG. 6; where the "output response status as the security condition not satisfied" is the second event notification) indicating that the second data is included, in a case where it is judged in the third judgment step that the second data is included in the delivery data; and a second activation step of causing the program activated in activation step to activate a program for executing a process corresponding to the second event notification (FIG. 6; where a program that "check whether the security condition" is the activated program).

11. As to claims 17 and 21, Bahrs teaches, wherein the first data is form data, and the process corresponding to the event notification issued in the issuance step is a form data process (paragraph 43; the claimed elements "filling fields in the requests" and; FIG. 4: 438 of Bahrs's reference meet the claimed limitation of the claim element "a form data process").

12. As to Claims 18 and 22, it is rejected for the same reasons as claim 17 and 21 above.

13. Claims 19 and 23, Kobayashi teaches, wherein the second data is user-defined data, and the program for executing the process corresponding to the second event notification is a program for executing password authentication (FIG. 6: step 4-6).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

Bauer et al. (US 20020073146) discloses a method and apparatus of selecting local or remote processing.

Sini (US 20030105760) discloses an automated entry of information into forms of mobile applications.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Abdou Seye whose telephone number is (571) 270-1062. The examiner can normally be reached Monday through Friday from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, contact the examiner's supervisor, An Meng at (571) 272-3756. The fax phone number for

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formal or official faxes to Technology Center 3600 is (571) 273-8300. Draft or informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 273-6722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-3600.

AKS

/Meng-Ai An/

Supervisory Patent Examiner, Art Unit 2195